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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 GERALD SPENCE,

11 Plaintiff,

No. CIV S-05-0690 GEB KJM P

12 vs.

13 DIRECTOR OF CORRECTIONS, et al.,

14 Defendants.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff is a prisoner who is proceeding pro se and in forma pauperis. Plaintiff  
17 seeks relief based on 42 U.S.C. § 1983.

18 On February 13, 2006, the court ordered the United States Marshal to serve the  
19 complaint on defendants. Process directed to defendant Fleishman was returned unserved with  
20 the notation "CDC locator unable to locate." Plaintiff must provide additional information to  
21 serve this defendant. Plaintiff shall promptly seek such information through discovery, the  
22 California Public Records Act, Calif. Gov't. Code § 6250, et seq., or other means available to  
23 plaintiff. If access to the required information is denied or unreasonably delayed, plaintiff may  
24 seek judicial intervention.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of the Court is directed to send to plaintiff one USM-285 form, along with an instruction sheet and a copy of the complaint filed April 11, 2005;

2. Within sixty days from the date of this order, plaintiff shall complete and submit the attached Notice of Submission of Documents to the court, with the following documents:

a. One completed USM-285 form for defendant Fleishman;

b. Two copies of the endorsed complaint filed April 11, 2005; and

c. One completed summons form (if not previously provided)

or show good cause why he cannot provide such information.

DATED: May 31, 2006.

  
UNITED STATES MAGISTRATE JUDGE

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GERALD SPENCE,

Plaintiff,

No. CIV S-05-0690 GEB KJM P

vs.

DIRECTOR OF CORRECTIONS, et al.,

Defendants.

NOTICE OF SUBMISSION

OF DOCUMENTS

Plaintiff hereby submits the following documents in compliance with the court's  
order filed \_\_\_\_\_:

1 completed summons form (if not previously provided)

1 completed USM-285 form

2 copies of the April 11, 2005  
Complaint

DATED:

\_\_\_\_\_  
Plaintiff